



Application granted in part and denied in part. The Court will not issue a stay, but extends the time for defendants to serve and file the motion for summary judgment and adjusts the balance of the briefing schedule accordingly, such that defendants shall serve and file their motion for summary judgment by 1/21/2022; plaintiff's opposition thereto shall be served and filed by 2/18/2022; and defendants' reply shall be served and filed by 3/4/2022. Defendants are directed to file a letter concerning the status of settlement by 1/7/2022. The Clerk of Court is respectfully requested to mail a copy of this Order to plaintiff.

OFFICE

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
November 30, 2021

LETITIA JAMES
ATTORNEY GENERAL

November 30, 2021

The Honorable Phillip M. Halpern
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Keesh v. Franco and Bodge*, 7:19-cv-08942 (PMH)

Dear Hon. J. Halpern,

The Office of the New York State Attorney General represents Defendants Bodge and Franco in this is a 42 U.S.C. § 1983 action brought by pro se plaintiff Tyheem Keesh, a convicted state prisoner. Defendants previously filed a pre-motion letter seeking leave to file summary judgment on behalf of Defendant Bodge and Franco.

Defendants are now requesting a stay on the motion so that it may negotiate a settlement on behalf of Franco and a stipulation of voluntary dismissal on behalf of Defendant Bodge. Should Plaintiff agree to a reasonable settlement, Defendants will then withdraw their motion request. Defendants request until January 7th to speak to Plaintiff and submit the case to the agency counsel for review and receive a decision on settlement funds.

Respectfully submitted,

Janice Powers, Esq.
Assistant Attorney General

cc: *Tyheem Keesh (90-B-0548) Sing Sing Corr. Fac. 354 Hunter Ave Ossining NY 10562*